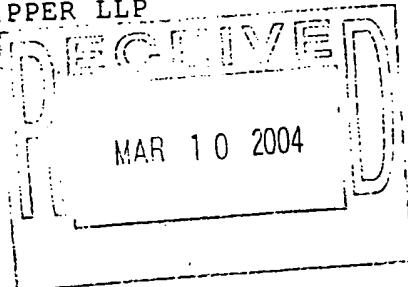




UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

STEPHEN M NIPPER  
DYKAS SHAVER & NIPPER LLP  
PO BOX 877  
BOISE ID 83701



In re Application of  
Tom Tomlin  
Application No. 10/046,948  
Filed: January 14, 2002  
Attorney Docket No. TOMT101

COPY MAILED

MAR 08 2004

OFFICE OF PETITIONS

ON PETITION

This is a decision on the Petition for Revival of an Application Abandoned Unintentionally Under 37 CFR 1.137(b), filed February 26, 2004 (Certificate of Mailing dated February 23, 2004).

The petition under 37 CFR 1.137(b) is GRANTED.

The above-identified application became abandoned for failure to timely file a response to the non-final Office action mailed October 9, 2002. This Office action set a shortened statutory period for reply of three months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. No reply having been received, the above-identified application became abandoned on January 10, 2003. A Notice of Abandonment was mailed on May 15, 2003. Applicant filed a petition to revive under 37 CFR 1.137(a) on November 20, 2003. However, this petition was dismissed in a decision mailed on December 1, 2003.

With the instant petition, petitioner paid the petition fee, filed a reply in the form of an amendment, and made the proper statement of unintentional delay.

The application file is being forwarded to Group Art Unit 3632 for consideration by the examiner of the amendment filed February 26, 2004.

Telephone inquiries specific to this decision may be directed to the undersigned at (703) 305-0272.

Cliff Congo  
Petitions Attorney  
Office of Petitions

RECEIVED

AUG 09 2004

GROUP 3600